United Nations A/73/481

General Assembly

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5 November 2018

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Seventy-third session
Agenda item 117(a)

Appointments to fill vacancies in subsidiary organs and other appointments: appointment of members of the Advisory Committee on Administrative and Budgetary Questions

Report of the Fifth Committee

Rapporteur: Mr. Hicham **Oussihamou** (Morocco)

1. At its 3rd plenary meeting, on 21 September 2018, the General Assembly, on the recommendation of the General Committee, decided to include in the agenda of its seventy-third session the item entitled "Appointments to fill vacancies in subsidiary organs and other appointments: appointment of members of the Advisory Committee on Administrative and Budgetary Questions" and to allocate it to the Fifth Committee.

2. At its 11th meeting, on 2 November 2018, the Fifth Committee had before it the following documents:

(a) Note by the Secretary-General concerning the vacancies in the membership of the Advisory Committee on Administrative and Budgetary Questions that would occur as a result of the expiration of the term of office of five of its members on 31 December 2018 (A/73/101/Rev.1);

(b) Note by the Secretary-General containing the names of six persons nominated by their respective Governments for appointment or reappointment to the Advisory Committee on Administrative and Budgetary Questions for a three-year term of office beginning on 1 January 2019 (A/C.5/73/4).

3. At the same meeting, the Committee decided, by acclamation, to recommend to the General Assembly that it appoint or reappoint Yves Éric Ahoussougbemey (Benin), Makiese Kinkela Augusto (Angola), Ihor Humennyi (Ukraine) and Conrod Hunte (Antigua and Barbuda) as members of the Advisory Committee on Administrative and Budgetary Questions for a three-year term of office beginning on 1 January 2019 (see para. 6).

4. Also at the same meeting, the Committee proceeded to select, by secret ballot, one person from the two candidates nominated by their respective Governments from the Asia-Pacific States. The result of the voting was as follows:

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Number of ballots cast:	191
Invalid ballots:	0
Number of valid ballots:	191
Abstentions:	1
Number of members present and voting:	190
Required majority:	96
Number of votes obtained:	
Amjad Qaid Al Kumaim (Yemen)	124
Park Hae-yun (Republic of Korea)	66

5. Having obtained the required majority, Amjad Qaid Al Kumaim (Yemen) was recommended for appointment as a member of the Advisory Committee on Administrative and Budgetary Questions for a three-year term of office beginning on 1 January 2019 (see para. 6).

Recommendation of the Fifth Committee

6. The Fifth Committee recommends that the General Assembly appoint the following persons as members of the Advisory Committee on Administrative and Budgetary Questions for a three-year term of office beginning on 1 January 2019:

Yves Éric Ahoussougbemey (Benin)
Amjad Qaid Al Kumaim (Yemen)
Makiese Kinkela Augusto (Angola)
Ihor Humennyi (Ukraine)
Conrod Hunte (Antigua and Barbuda).

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Seventy-third session
Agenda item 54
United Nations Relief and Works Agency for Palestine Refugees in the Near East

Letter dated 31 October 2018 from the Deputy Permanent Representative of the United States of America to the United Nations addressed to the Secretary-General

This year, the United States could not join consensus on the report of the Working Group on the Financing of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (A/73/349) and disassociated from the text.

The United States believes that the report is inadequate in addressing the sources of the financial problems of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) and that the report uses language that is regrettably politicized and biased. In an effort to balance the report, the United States proposed language to condemn Hamas, which is a primary cause of Palestinian suffering in Gaza. Our proposed edits reflected the reality of the situation on the ground, including Hamas purposefully using UNRWA facilities as cover for its underground tunnel network and the cynical decision by Hamas to use its finite resources on its militant activities at the expense of the Palestinian people. Inclusion of this language should not have been controversial. Without language addressing Hamas, a root cause of the humanitarian and economic situation affecting Palestinians — including UNRWA beneficiaries — in Gaza, the report was wholly unbalanced.

On 31 August, the Administration determined that it would not make further contributions to UNRWA. As the United States made clear, beyond the budget gap itself and the failure to mobilize adequate and appropriate burden-sharing, the fundamental business model and fiscal practices that have marked UNRWA for years — tied to its endlessly and exponentially expanding community of entitled beneficiaries — is simply unsustainable. The United States has already started to intensify dialogue with the United Nations, host Governments and international stakeholders about new models and new approaches, which may include direct bilateral assistance from the United States and other partners, that can provide today's Palestinian children with a more durable and dependable path towards a brighter tomorrow.

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We hope that in the future, the Working Group will be able to adopt a report that addresses the true political realities on the ground and that looks for innovative ways to address the structural issues in the UNRWA model.

We kindly request that the present letter be issued as a document of the General Assembly, under agenda item 54.

(*Signed*) Jonathan R. **Cohen**
Ambassador

United Nations A/73/483

General Assembly

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Seventy-third session
Agenda item 117(b)

Appointments to fill vacancies in subsidiary organs and other appointments: appointment of members of the Committee on Contributions

Report of the Fifth Committee

Rapporteur: Mr. Hicham **Oussihamou** (Morocco)

1. At its 3rd plenary meeting, on 21 September 2018, the General Assembly, on the recommendation of the General Committee, decided to include in the agenda of its seventy-third session the item entitled "Appointments to fill vacancies in subsidiary organs and other appointments: appointment of members of the Committee on Contributions" and to allocate it to the Fifth Committee.

2. At its 11th meeting, on 2 November 2018, the Fifth Committee had before it the following documents:

(a) Note by the Secretary-General concerning the vacancies in the membership of the Committee on Contributions that would occur as a result of the expiration of the term of office of six of its members on 31 December 2018 (A/73/102);

(b) Note by the Secretary-General containing the names of five persons nominated by their respective Governments for appointment or reappointment to the Committee on Contributions for a three-year term of office beginning on 1 January 2019 (A/C.5/73/5).

3. At the same meeting, the Committee decided, by acclamation, to recommend to the General Assembly that it appoint or reappoint Syed Yawar Ali (Pakistan), Robert Ngei Mule (Kenya), Toshiro Ozawa (Japan), Tõnis Saar (Estonia) and Brett Dennis Schaefer (United States of America) as members of the Committee on Contributions for a three-year term of office beginning on 1 January 2019 (see para. 4). The appointment for the remaining vacancy beginning on 1 January 2019 was postponed to a later date.

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Recommendation of the Fifth Committee

4. The Fifth Committee recommends that the General Assembly appoint the following persons as members of the Committee on Contributions for a three-year term of office beginning on 1 January 2019:

Syed Yawar Ali (Pakistan)
Robert Ngei Mule (Kenya)
Toshiro Ozawa (Japan)
Tõnis Saar (Estonia)
Brett Dennis Schaefer (United States of America)

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Seventy-third session
Agenda item 117 (c)

Appointments to fill vacancies in subsidiary organs and other appointments: confirmation of the appointment of members of the Investments Committee

Report of the Fifth Committee

Rapporteur: Mr. Hicham **Oussihamou** (Morocco)

1. At its 3rd plenary meeting, on 21 September 2018, the General Assembly, on the recommendation of the General Committee, decided to include in the agenda of its seventy-third session the item entitled "Appointments to fill vacancies in subsidiary organs and other appointments: confirmation of the appointment of members of the Investments Committee" and to allocate it to the Fifth Committee.

2. At its 11th meeting, on 2 November 2018, the Fifth Committee had before it the following documents:

(a) Note by the Secretary-General concerning two existing vacancies in the membership of the Investments Committee (A/73/103);

(b) Note by the Secretary-General in which, in accordance with the provisions of article 20 of the Regulations of the United Nations Joint Staff Pension Fund, the Secretary-General, after consultation with the United Nations Joint Staff Pension Board and the Advisory Committee on Administrative and Budgetary Questions, submitted for confirmation by the General Assembly the appointment of one regular member of the Investments Committee, for a three-year term of office beginning on 1 January 2019 (A/C.5/73/6).

3. At the same meeting, the Committee decided, by acclamation, to recommend to the General Assembly that it confirm the appointment of Keiko Honda (Japan) as a regular member of the Investments Committee for a three-year term of office beginning on 1 January 2019 (see para. 4).

Recommendation of the Fifth Committee

4. The Fifth Committee recommends that the General Assembly confirm the appointment by the Secretary-General of Keiko Honda (Japan) as a regular member of the Investments Committee for a three-year term of office beginning on 1 January 2019.

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Seventy-third session
Agenda item 117 (d)

Appointments to fill vacancies in subsidiary organs and other appointments: appointment of members of the International Civil Service Commission

Report of the Fifth Committee

Rapporteur: Mr. Hicham **Oussihamou** (Morocco)

1. At its 3rd plenary meeting, on 21 September 2018, the General Assembly, on the recommendation of the General Committee, decided to include in the agenda of its seventy-third session, under the item entitled "Appointments to fill vacancies in subsidiary organs and other appointments", the sub-item entitled:

"Appointment of members of the International Civil Service Commission:

(i) Appointment of members of the Commission;

(ii) Designation of the Chair of the Commission",

and to allocate it to the Fifth Committee.

2. At its 11th meeting, on 2 November 2018, the Fifth Committee had before it the following documents:

(a) Note by the Secretary-General concerning the vacancies in the membership of the International Civil Service Commission that would occur as a result of the expiration of the terms of office of five of its members on 31 December 2018 (A/73/104);

(b) Note by the Secretary-General containing the names of six persons nominated by their respective Governments for appointment or reappointment to the International Civil Service Commission to fill the following vacancies: two members from the African States, one member from the Eastern European States, one member from the Latin American and Caribbean States and one member from the Western European and other States, for a four-year term of office beginning on 1 January 2019 (A/C.5/73/7);

(c) Note by the Secretary-General containing the names of two persons nominated by their respective Governments for designation to the post of Chair of the International Civil Service Commission (A/C.5/73/7/Add.1).

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3. At the same meeting, the Committee decided, by acclamation, to recommend to the General Assembly that it appoint or reappoint Andrew Gbebay Bangali (Sierra Leone), Marie-Françoise Bechtel (France), Ali Kurer (Libya) and Bogusław Winid (Poland) as members of the International Civil Service Commission for a four-year term of office beginning on 1 January 2019 (see para. 8).

4. Also at the same meeting, the Committee proceeded to select, by secret ballot, one person from the two candidates nominated by their respective Governments from the Latin American and Caribbean States. The result of the voting was as follows:

Number of ballots cast:	193
Invalid ballots:	1
Number of valid ballots:	192
Abstentions:	1
Number of members present and voting:	191
Required majority:	96
Number of votes obtained:	
Carleen Gardner (Jamaica)	103
Patricia Barbosa Lima Côrtes (Brazil)	88

5. Having obtained the required majority, Carleen Gardner (Jamaica) was recommended for reappointment as a member of the Commission for a four-year term of office beginning on 1 January 2019 (see para. 8).

6. At the same meeting, the Committee proceeded to select, by secret ballot, one person from two candidates nominated by their respective Governments for designation as Chair of the Commission. The result of the voting was as follows:

Number of ballots cast:	193
Invalid ballots:	1
Number of valid ballots:	192
Abstentions:	2
Number of members present and voting:	190
Required majority:	96
Number of votes obtained:	
Larbi Djacta (Algeria)	97
El Hassane Zahid (Morocco)	93

7. Having obtained the required majority, Larbi Djacta (Algeria) was recommended to the General Assembly for designation as Chair of the International Civil Service Commission for a four-year term of office beginning on 1 January 2019 (see para. 8).

Recommendation of the Fifth Committee

8. The Fifth Committee recommends that the General Assembly:

(a) Appoint the following persons as members of the International Civil Service Commission for a four-year term of office beginning on 1 January 2019:

Andrew Gbebay Bangali (Sierra Leone)
Marie-Françoise Bechtel (France)
Carleen Gardner (Jamaica)
Ali Kurer (Libya)
Bogusław Winid (Poland)

(b) Designate Larbi Djacta (Algeria) as Chair of the International Civil Service Commission for a four-year term of office beginning on 1 January 2019.

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Agenda item 85

Report of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization

Report of the Sixth Committee

Rapporteur: Ms. Nadia Alexandra **Kalb** (Austria)

I. Introduction

1. The item entitled "Report of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization" was included in the provisional agenda of the seventy-third session of the General Assembly pursuant to Assembly resolution 72/118 of 7 December 2017.

2. At its 3rd plenary meeting, on 21 September 2018, the General Assembly, on the recommendation of the General Committee, decided to include the item in its agenda and to allocate it to the Sixth Committee.

3. The Sixth Committee considered the item at its 13th, 14th, 31st and 33rd meetings, on 12 and 15 October and on 1 and 5 November 2018. The views of the representatives who spoke during the Committee's consideration of the item are reflected in the relevant summary records.[1]

4. For its consideration of the item, the Committee had before it the following documents:

(a) Report of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization (A/73/33);

(b) Report of the Secretary-General on the *Repertory of Practice of United Nations Organs* and the *Repertoire of the Practice of the Security Council* (A/73/190).

5. At the 13th meeting, on 12 October, the Chair of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization introduced the report of the Special Committee.

[1] A/C.6/73/SR.13, A/C.6/73/SR.14, A/C.6/73/SR.31 and A/C.6/73/SR.33.

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6. At the same meeting, the Director of the Codification Division of the Office of Legal Affairs made a statement on the status of the *Repertory of Practice of United Nations Organs*, and the Chief of the Security Council Practices and Charter Research Branch of the Department of Political Affairs made a statement on the status of the *Repertoire of the Practice of the Security Council*.

II. Consideration of draft resolution A/C.6/73/L.10

7. At the 31st meeting, on 1 November, the representative of Lesotho, on behalf of the Bureau, introduced a draft resolution entitled "Report of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization" (A/C.6/73/L.10).

8. At its 33rd meeting, on 5 November, the Committee adopted draft resolution A/C.6/73/L.10 without a vote (see para. 9).

III. Recommendation of the Sixth Committee

9. The Sixth Committee recommends to the General Assembly the adoption of the following draft resolution:

Report of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization

The General Assembly,

Recalling its resolution 3499 (XXX) of 15 December 1975, by which it established the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization, and its relevant resolutions adopted at subsequent sessions,

Recalling also its resolution 47/233 of 17 August 1993 on the revitalization of the work of the General Assembly,

Recalling further its resolution 47/62 of 11 December 1992 on the question of equitable representation on and increase in the membership of the Security Council,

Taking note of the report of the Open-ended Working Group on the Question of Equitable Representation on and Increase in the Membership of the Security Council and Other Matters related to the Security Council,[1]

Recalling the elements relevant to the work of the Special Committee contained in its resolution 47/120 B of 20 September 1993,

Recalling also its resolution 51/241 of 31 July 1997 on the strengthening of the United Nations system and its resolution 51/242 of 15 September 1997, entitled "Supplement to an Agenda for Peace", by which it adopted the texts on coordination and the question of sanctions imposed by the United Nations, which are annexed to that resolution,

Concerned about the special economic problems confronting certain States arising from the carrying-out of preventive or enforcement measures taken by the Security Council against other States, and taking into account the obligation of Members of the United Nations under Article 49 of the Charter to join in affording mutual assistance in carrying out the measures decided upon by the Council,

Recalling the right of third States confronted with special economic problems of that nature to consult the Security Council with regard to a solution of those problems, in accordance with Article 50 of the Charter,

Recalling also that the International Court of Justice is the principal judicial organ of the United Nations, and reaffirming its authority and independence,

Mindful of the adoption of the revised working papers on the working methods of the Special Committee,[2]

Taking note of the report of the Secretary-General entitled "*Repertory of Practice of United Nations Organs* and *Repertoire of the Practice of the Security Council*",[3]

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[1] *Official Records of the General Assembly, Sixty-third Session, Supplement No. 47* (A/63/47).

[2] Ibid., *Sixty-first Session, Supplement No. 33* (A/61/33), para. 72.

[3] A/73/190.

Recalling paragraphs 106 to 110, 176 and 177 of the 2005 World Summit Outcome,[4]

Mindful of the decision of the Special Committee in which it expressed its readiness to engage, as appropriate, in the implementation of any decisions that might be taken at the high-level plenary meeting of the sixtieth session of the General Assembly in September 2005 that concerned the Charter and any amendments thereto,[5]

Recalling the provisions of its resolutions 50/51 of 11 December 1995, 51/208 of 17 December 1996, 52/162 of 15 December 1997, 53/107 of 8 December 1998, 54/107 of 9 December 1999, 55/157 of 12 December 2000, 56/87 of 12 December 2001, 57/25 of 19 November 2002, 58/80 of 9 December 2003 and 59/45 of 2 December 2004,

Recalling also its resolution 64/115 of 16 December 2009 and the document entitled "Introduction and implementation of sanctions imposed by the United Nations" annexed thereto,

Having considered the report of the Special Committee on the work of its session held in 2018,[6]

Noting with appreciation the work done by the Special Committee to encourage States to focus on the need to prevent and to settle peacefully their disputes which are likely to endanger the maintenance of international peace and security,

1. *Takes note* of the report of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization;[6]

2. *Decides* that the Special Committee shall hold its next session from 19 to 27 February 2019;

3. *Requests* the Special Committee, at its session in 2019, in accordance with paragraph 5 of General Assembly resolution 50/52 of 11 December 1995:

(a) To continue its consideration of all proposals concerning the question of the maintenance of international peace and security in all its aspects in order to strengthen the role of the United Nations and, in this context, to consider other proposals relating to the maintenance of international peace and security already submitted or which may be submitted to the Special Committee at its session in 2019, including strengthening the relationship and cooperation between the United Nations and regional organizations or arrangements in the peaceful settlement of disputes;

(b) To keep on its agenda the question of the peaceful settlement of disputes between States;

(c) To consider, as appropriate, any proposal referred to it by the General Assembly in the implementation of the decisions of the high-level plenary meeting of the sixtieth session of the Assembly in September 2005 that concern the Charter and any amendments thereto;

(d) To continue to consider, on a priority basis, ways and means of improving its working methods and enhancing its efficiency and utilization of resources with a view to identifying widely acceptable measures for future implementation;

4. *Requests* the Secretary-General, in accordance with paragraph 3 of the annex to resolution 71/146 of 13 December 2016, to brief the Special Committee at

[4] Resolution 60/1.

[5] *Official Records of the General Assembly, Sixtieth Session, Supplement No. 33* (A/60/33), para. 77.

[6] Ibid., *Seventy-third Session, Supplement No. 33* (A/73/33).

its next session on the document entitled "Introduction and implementation of sanctions imposed by the United Nations" contained in the annex to General Assembly resolution 64/115;

5. *Recalls* its decision, in its resolution 72/118 of 7 December 2017, to undertake an annual thematic debate in the Special Committee, under the agenda item on the peaceful settlement of disputes, to discuss the means for the settlement of disputes, in accordance with Chapter VI of the Charter, including in particular those contained in Article 33 thereof, and consistent with the Manila Declaration on the Peaceful Settlement of International Disputes,[7] and in that regard:

(a) Invites Member States to focus their comments during the thematic debate, to be held at the next session of the Special Committee, at the seventy-third session of the General Assembly, on the subtopic "Exchange of information on State practices regarding the use of mediation", while ensuring that the other means of dispute settlement will be discussed at the subsequent sessions of the Special Committee;

(b) Also invites Member States to comment on the subtopics of the annual debate in their general statements with a view to having the texts of those statements posted on the website of the Special Committee;[8]

(c) Calls upon the Special Committee to include a summary of the subtopics of the annual debate in its annual report for further consideration;

6. *Also recalls* its endorsement of the decisions and recommendations adopted by the Special Committee at its 2016 session, in particular as set forth in paragraphs 2 and 3 of the annex to resolution 71/146;

7. *Invites* the Special Committee, at its session in 2019, to continue to identify new subjects for consideration in its future work with a view to contributing to the revitalization of the work of the United Nations;

8. *Notes* the readiness of the Special Committee to provide, within its mandate, such assistance as may be sought at the request of other subsidiary bodies of the General Assembly in relation to any issues before them;

9. *Requests* the Special Committee to submit a report on its work to the General Assembly at its seventy-fourth session;

10. *Recognizes* the important role of the International Court of Justice, the principal judicial organ of the United Nations, in adjudicating disputes among States and the value of its work, as well as the importance of having recourse to the Court in the peaceful settlement of disputes, notes that, consistent with Article 96 of the Charter, the Court's advisory jurisdiction may be requested by the General Assembly, the Security Council or other authorized organs of the United Nations and the specialized agencies, and requests the Secretary-General to distribute, in due course, the advisory opinions requested by the principal organs of the United Nations as official documents of the United Nations;

11. *Commends* the Secretary-General for the progress made in the preparation of studies for the *Repertory of Practice of United Nations Organs*, including the use of the internship programme of the United Nations and cooperation with academic institutions for this purpose, as well as the progress made towards updating the *Repertoire of the Practice of the Security Council*;

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[7] Resolution 37/10, annex.

[8] http://legal.un.org/committees/charter.

12. *Encourages* Member States to identify academic institutions that have the capacity to contribute to the preparation of studies for the *Repertory* and to provide contact details of such institutions;

13. *Notes with appreciation* the contributions made by Member States to the trust fund for the elimination of the backlog in the *Repertory*, as well as to the trust fund for the updating of the *Repertoire*;

14. *Reiterates its call for* voluntary contributions to the trust fund for the elimination of the backlog in the *Repertory* so as to further support the Secretariat in carrying out the effective elimination of that backlog; voluntary contributions to the trust fund for the updating of the *Repertoire*; and the sponsoring, on a voluntary basis and with no cost to the United Nations, of associate experts to assist in the updating of the two publications;

15. *Calls upon* the Secretary-General to continue his efforts towards updating the two publications and making them available electronically in all their respective language versions, and encourages the continued updating of the website for the *Repertory*;[9]

16. *Notes with concern* that the backlog in the preparation of volume III of the *Repertory*, although slightly reduced, has not been eliminated, and calls upon the Secretary-General to address that issue effectively and on a priority basis, while commending the Secretary-General for progress made in reducing the backlog;

17. *Reiterates* the responsibility of the Secretary-General for the quality of the *Repertory* and the *Repertoire*, and with regard to the *Repertoire* calls upon the Secretary-General to continue to follow the modalities outlined in paragraphs 102 to 106 of his report dated 18 September 1952;[10]

18. *Requests* the Secretary-General to submit to the General Assembly at its seventy-fourth session a report on both the *Repertory* and the *Repertoire*;

19. *Also requests* the Secretary-General to submit to the General Assembly at its seventy-fourth session a report on the implementation of the provisions of the Charter related to assistance to third States affected by the application of sanctions;

20. *Decides* to include in the provisional agenda of its seventy-fourth session the item entitled "Report of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization".

[9] http://legal.un.org/repertory.

[10] A/2170.